

AMENDMENT UNDER 37 C.F.R. §1.116
U.S. Appln. No. 09/251,149

38. (Twice Amended) A method of making an electrochemical cell comprising the steps of:

providing an electrode stack which includes a first electrode having a first end, a second electrode and a periphery;

folding at least one section of the first electrode to form a tab connection portion that does not extend around substantially the entire surface portion of the periphery of said stack.

REMARKS

Claims 26-40 are all the claims pending in the application.

Claims 28-30 have been allowed.

Claim 31 would be allowable if rewritten in independent form to include the limitations of claims 26 and 27. Applicants have not rewritten this claim because Applicants believe claims 26 and 27 are allowable for the reasons described below.

Applicants thanks the Examiner for the personal interview on January 9, 2001.

Applicants have amended claims 26, 33 and 38 along the lines discussed during the interview.

Also, pursuant to the Examiner's request, Applicants are enclosing a copy of the Request for Interview that was filed along with the CPA on November 17, 2000. In the event that the claims are not all in condition for allowance, Applicants request that the Examiner consider withdrawing the finality of the rejections, given that the Final rejections were issued prior to the interview with the Applicants.

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Claims 26, 27 and 32-40 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Cailley and/or Suzuki et al. Applicants traverse these rejections because the cited references fail to disclose all of the limitations of the claims as amended. Specifically, the references fail to disclose at least the following limitations:

Claim 26

folding at least one section of the first electrode so that it extends in a direction at an angle to the longitudinal axis to form a tab connection portion, *such that said tab connection portion does not extend over substantially the entire surface portion of one end of said stack.*

Claim 38

folding at least one section of the first electrode *to form a tab connection portion that does not extend around substantially the entire surface portion of the periphery of said stack.*

In both Cailley and Suzuki et al., the tab connection portion extends over the entire surface portion of the end of the stack, except for a very thin “ring” around the periphery of the stack. See figure 1 of both references. On the other hand, in independent claims 26 and 38, the tab portion extends over only a small portion of the periphery of the stack. For example, see figure 1. This is advantageous because since the tab portion extends over only a small portion, the rest of the unmodified electrode end can readily accept electrolyte. Specification page 9, line 32 to page 10, line 3.

With respect to claim 33, Cailley fails to disclose at least the following limitations:

making a pair of slits that are substantially parallel to each other in the one end of the electrode stack, wherein said slits extend across an entire radius of the one end of the electrode stack and wherein said step of folding at last one section of the first electrode includes folding at least one section of the first electrode between said pair of slits.

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In Cailley, there are many pairs of slits. However, there is no single pair of substantially parallel slits that extend across an entire radius of the one end of the electrode stack. Compare Applicant's figure 1 with Cailley figure 3.

With respect to claims 27, 32 and 34-40, they should be allowable at least based on their dependence from claims 26, 33 or 38.

Reconsideration and allowance of all claims are respectfully requested in view of the following remarks. In view of the foregoing, the claims are now believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

26. (Twice Amended) A method of making an electrochemical cell comprising the steps of:

providing an electrode stack which includes a first electrode extending from one end of the stack, a second electrode extending from an opposite end of the stack, and a longitudinal axis between said ends of the stack;

folding at least one section of the first electrode so that it extends in a direction at an angle to the longitudinal axis to form a tab connection portion, such that said tab connection portion does not extend over substantially the entire surface portion of one end of said stack.

33. (Twice Amended) A method of making an electrochemical cell comprising the steps of:

providing an electrode stack which includes a first electrode extending from one end of the stack, a second electrode extending from an opposite end of the stack, and a longitudinal axis between said ends of the stack;

folding at least one section of the first electrode so that it extends in a direction at an angle to the longitudinal axis to form a tab connection portion; and

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making a pair of slits that are substantially parallel to each other in the one end of the electrode stack, wherein said slits extend across an entire radius of the one end of the electrode stack and wherein said step of folding at last one section of the first electrode includes folding at least on section of the first electrode between said pair of slits.

38. (Twice Amended) A method of making an electrochemical cell comprising the steps of:

providing an electrode stack which includes a first electrode having a first end, a second electrode and a periphery;

folding at least one section of the first electrode to form a tab connection portion that does not extend around substantially the entire surface portion of the periphery of said stack.